

Amendment and Response Under 37 C.F.R. 1.116

Applicant: Charley Y. Lloyd et al.

Serial No.: 09/781.583

Filed: February 12, 2001

Docket No.: 5520USA

Title: PORTABLE CONTAINER SEPARATELY CONTAINING TWO CONSUMABLE PRODUCTS, AND A DRY CONSUMABLE PRODUCT, ESPECIALLY RTE CEREAL, FOR USE THEREWITH

substantially spherical pieces each having a diameter in the range of 0.2 - 0.25 inch and a density not less than 225 g/100 inch³;

wherein the liquid consumable product is contained separate from the dry consumable product, and wherein the container is adapted to facilitate on-the-go consumption of the liquid and dry consumable products.

2.(Cancelled)

3.(Cancelled)

4. The packaged consumable good article of claim 1, wherein the pieces each have a density in the range of 225-375 g/100 inch³.

5. The packaged consumable good article of claim 1, wherein the dry consumable product is a ready-to-eat cereal.

6. The packaged consumable good article of claim 5, wherein the ready-to-eat cereal is a puffed cereal.

7.(Twice Amended) A portable, packaged consumable good article comprising:

a container including:

a first compartment,

a second compartment connected to the first compartment,

a first pour opening associated with the first compartment for facilitating restricted flow of a contained product therefrom,

a second pour opening associated with the second compartment for facilitating restricted flow of a contained product therefrom;

a liquid consumable product contained within the first compartment; and

a dry consumable product contained within the second compartment, the dry consumable product comprised of a plurality of pieces each having a

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maximum outer dimension in the range of 0.2 – 0.25 inch and a density of less than 375 g/100 inch³;

wherein the liquid consumable product is contained separate from the dry consumable product, and wherein the container is adapted to facilitate on-the-go consumption of the liquid and dry consumable products.

8.(Cancelled)

9.(Cancelled)

10. The packaged consumable good article of claim 7, wherein each of the plurality of pieces is substantially spherical.

11.(Amended) The packaged consumable good article of claim 7, wherein each of the plurality of pieces has a density of not less than 225 g/100 inch³.

12. The packaged consumable good article of claim 11, wherein each of the plurality of pieces has a density in the range of 225 – 375 g/100 inch³.

13.(Amended) The packaged consumable good article of claim 7, wherein the plurality of pieces are puffed cereal pieces.

14.(Twice Amended) A portable, packaged consumable good article comprising:

a container including:

a first compartment,

a second compartment connected to the first compartment,

a first pour opening associated with the first compartment for facilitating restricted flow of a contained product therefrom,

a second pour opening associated with the second compartment for facilitating restricted flow of a contained product therefrom;

a liquid consumable product contained within the first compartment; and

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a dry consumable product contained within the second compartment, the dry consumable product comprised of a plurality of pieces each having a density of not less than 225 g/100 inch³ and a maximum outer dimension in the range of 0.2 – 0.25 inch;

wherein the liquid consumable product is contained separate from the dry consumable product, and wherein the container is adapted to facilitate on-the-go consumption of the liquid and dry consumable products.

15. The packaged consumable good article of claim 14, wherein the pieces each have a density in the range of 225-375 g/100 inch³.

16.(Cancelled)

17.(Cancelled)

18.(Cancelled)

19. The packaged consumable good article of claim 14, wherein each of the pieces are substantially spherical.

20. The packaged consumable good article of claim 14, wherein the plurality of pieces is puffed cereal.

21.(Amended) A portable, packaged consumable good article comprising:

a container including:

a first compartment,

a second compartment connected to the first compartment,

a first pour opening associated with the first compartment for facilitating restricted flow of a contained product therefrom,

a second pour opening associated with the second compartment for facilitating restricted flow of a contained product therefrom;

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a liquid consumable product contained within the first compartment; and
a dry consumable product contained within the second compartment, the dry consumable product comprised of a plurality of pieces that are substantially uniform in at least two characteristics selected from the group consisting of a shape, size and density, the selected characteristics configured to promote substantially uniform, gravity-induced flow through the second pour opening; wherein the liquid consumable product is contained separate from the dry consumable product.

22. The packaged consumable good article of claim 21, wherein each of the plurality of pieces is substantially spherical, having a diameter in the range of 0.2 - 0.4 inch and a density in the range of 225 - 375 g/100 inch³.

23. The packaged consumable good article of claim 21, wherein each of the plurality of pieces is puffed cereal.

24. The packaged consumable good article of claim 21, wherein the second pour opening defines a transverse cross-sectional area, and each of the plurality of pieces define a maximum cross-sectional area, and further wherein the second pour opening transverse cross-sectional area is at least 2.5 times greater than the maximum cross-sectional area of each of the plurality of pieces.

25. Previously cancelled.

26. Previously cancelled.

27. Previously cancelled.

28. Previously cancelled.

29. Previously cancelled.

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30. Previously cancelled.

31. Previously cancelled.

32.(Amended) A method of manufacturing a packaged consumable product article comprising:

providing a container including a first compartment, a second compartment connected to the first compartment, a first pour opening fluidly connected to the first compartment for facilitating restricted product flow therefrom, and a second pour opening fluidly connected to the second compartment for facilitating restricted product flow therefrom;

dispensing a volume of liquid consumable product into the first compartment;

providing a new dry consumable product based upon an ingredient composition of a known dry consumable product consisting of a plurality of known product pieces at least one of which has a maximum outer dimension greater than 0.4 inch, wherein the new dry consumable product has an ingredient composition identical to the ingredient composition of the known dry consumable product and is comprised of a plurality of new product pieces each having a maximum outer dimension of not more than 0.4 inch; and

dispensing a quantity of the new product pieces into the second compartment;

wherein the container separately contains the liquid and dry consumable products.

33.(Amended) The method of claim 32, wherein each of the new product pieces has a maximum outer dimension in the range of 0.2-0.4 inch.

34.(Amended) The method of claim 33, wherein each of the new product pieces has a maximum outer dimension in the range of 0.2 - 0.25 inch.

35.(Amended) The method of claim 32, wherein each of the new product pieces has a density in the range of 225 - 375 g/100 inch³.

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36.(Amended) The method of claim 32, wherein the plurality of new product pieces are substantially uniform.

37.(Amended) The method of claim 32, wherein each of the new product pieces is substantially spherical.

38.(Amended) The method of claim 32, wherein the new dry consumable product is ready-to-eat cereal and the liquid consumable product is milk.

39.(Twice Amended) A method of manufacturing a packaged consumable product article comprising:

providing a container including a first compartment, a second compartment connectable to the first compartment, a first pour opening fluidly connectable to the first compartment for facilitating restricted product flow therefrom, and a second pour opening fluidly connectable to the second compartment for facilitating restricted product flow therefrom, the container being adapted to facilitate on-the-go consumption of product from the first and second compartments;

dispensing a volume of liquid consumable product into the first compartment;

providing a dry consumable product comprised of a plurality of pieces each having a density of not less than 225 g/100 inch³ and a maximum outer dimension in the range of 0.2 – 0.25 inch; and

dispensing a quantity of the pieces into the second compartment;

wherein the container separately contains the liquid and dry consumable products.

40.(Amended) The method of claim 39, wherein providing a dry consumable product includes forming each of the pieces to have a density in the range of 225-375 g/100 inch³.

41.(Cancelled)

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42.(Cancelled)

43. The method of claim 39, wherein each of the pieces is substantially spherical.

44. The method of claim 39, wherein the plurality of pieces are substantially uniform.

45. The method of claim 39, wherein the dry consumable product is ready-to-eat cereal and the liquid consumable product is milk.

46.(Amended) The packaged consumable good article of claim 21, wherein the plurality of pieces are substantially uniform in size and density.

47. The packaged consumable good article of claim 21, wherein each of the plurality of pieces are substantially spherical, deviating no more than 10% in any one dimension from a true sphere.

48. The packaged consumable good article of claim 21, wherein an entirety of the dry consumable product consists of the plurality of pieces, the plurality of pieces being substantially uniform in shape, size, and density.

49. The method of claim 32, wherein providing a dry consumable product includes:
selecting a maximum outer dimension of the plurality of pieces based upon a desired,
gravity-induced flow of the plurality of pieces through the second pour
opening.

50. The method of claim 49, wherein the selected maximum outer dimension is based upon an estimated cross-sectional area of the second pour opening.

51.(Cancelled)

52.(Cancelled)

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Please add newly presented claims 53 and 54 as follows:

--53.(Newly Presented) The method of claim 32, wherein the known product pieces are each characterized by a known product density, and further wherein the new product pieces are each characterized by a new product density greater than the known product density.

54.(Newly Presented) The method of claim 53, wherein the known product density is less than 225 g/100 inch³ and the new product density is not less than 225 g/100 inch³.--